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Attorneys for Plaintiffs KELY WILKINS, Individually and as the Successor in Interest to Decedent WILLIAM ALBERTO WILKINS, WILLIAM ALBERTO WILKINS, Individually, the ESTATE OF WILLIAM WILKINS, WILLIAM RANDOLPH WILKINS, a minor, by and through his Guardian Ad Litem, KELY WILKINS

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

KELY WILKINS, Individually and as the Successor in Interest to Decedent) **CASE NO. C 01-01402 MMC**  
WILLIAM ALBERTO WILKINS,)   
WILLIAM ALBERTO WILKINS,)   
Individually, the ESTATE OF)   
WILLIAM WILKINS, WILLIAM)   
RANDOLPH WILKINS, a minor, by)   
and through his Guardian Ad Litem,)   
KELY WILKINS)

Hon. Maxine M. Chesney

**[proposed] ORDER APPROVING  
COMPROMISE OF MINOR'S CLAIM**

Plaintiffs,

vs.

Re: Claim of William Randolph Wilkins, a minor, in the disputed action of *Kely Wilkins, et al. v. City of Oakland, et al.*, Case No.: **C01-01402 MMC**

CITY OF OAKLAND, TIM)   
SCARROTT, individually, and in his)   
official capacity as a Police Officer)   
for the City of Oakland, ANDREW)   
KOPONEN, individually, and in his)   
official capacity as a Police Officer)   
for the City of Oakland, and DOES 1)   
through 10, Inclusive,)

Defendants.

Petitioner KELY WILKINS, as Guardian Ad Litem for WILLIAM RANDOLPH WILKINS, has submitted an Amended Petition for the approval of the proposed compromise of claim, as follows:

1 Name of minor: WILLIAM RANDOLPH WILKINS

2 Age: 6 Date of Birth: 2/8/2006 Sex: Male

3 Residence of Petitioner: 8915 S. Fitzgerald Way, Missouri City, Texas 77459.

4 Residence of Minor: 8915 S. Fitzgerald Way, Missouri City, Texas 77459.

5 Date of Incident: 1/11/01.

6 Petitioner is the mother of WILLIAM RANDOLPH WILKINS, a minor.

7 This claim to compromised is asserted against all defendants as set forth above,  
8 their agents, and assignees, hereinafter designated as "Payers".

9  
10  
11 GOOD CAUSE APPEARING, THE COURT ORDERS

12 1. That the petition is granted and the compromise is approved.

13 2. That the payers shall disburse the proceeds of the settlement approved by  
14 this order in the following manner:

15  
16 (1) The sum total of attorneys' fees and costs in the amount of  
17 \$583,090.00 payable to "Cochran, Cherry, Givens, & Smith".

18  
19 (2) The sum total of WILLIAM RANDOLPH WILKINS' apportionment  
20 for reimbursement for past workers' compensation benefits in the  
21 amount of \$117,888.00 payable to "The City of Oakland."

22  
23 (3) The balance of the Settlement Proceeds shall be disbursed as follows:  
24 \$1,449,022.00 made payable to "MetLife Tower Resources Group, Inc."  
25 towards the funding of an annuity for said minor, to be funded by  
26 Metropolitan Life Insurance Company after said minor reached the age  
27 of majority, in accordance with the terms and payment schedule set forth  
28 herein as Exhibit "A".



## EXHIBIT A

<u>Benefit Description</u>	<u>Guaranteed Benefit</u>	<u>Expected Benefit</u>	<u>Cost</u>
\$5,500.00 payable monthly, beginning on 9/01/2006, with last guaranteed payment on 2/01/2025	\$1,221,000.00	\$1,221,000.00	\$796,704.37
\$100,000.00 paid on 2/08/2018	\$100,000.00	\$100,000.00	\$54,835.00
\$250,000.00 paid on 2/08/2021	\$250,000.00	\$250,000.00	\$114,415.00
\$550,000.00 paid on 2/08/2025	\$550,000.00	\$550,000.00	\$198,066.00
\$1,065,251.20 paid on 2/08/2030	\$1,065,251.20	\$1,065,251.20	\$284,241.63
Subtotal	\$3,186,251.20	\$3,186,251.20\$	\$1,448,272.00